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CLERK OF SUPERIOR COURT
YUMA, ARIZONA 85366

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YUMA

In the Matter of:

REVISION OF DIVISION ASSIGNMENTS,
REVISION OF CALENDAR ASSIGNMENTS,
AND REVISION OF CASE ASSIGNMENTS
FOR THE SUPERIOR COURT IN
YUMA COUNTY, ARIZONA

Administrative Order
NO. 2007-22

This Administrative Order supersedes and take the place of Administrative Order No. 2007-10 filed July 2, 2007, Administrative Order No. 2007-17 filed September 21, 2007, Administrative Order 2007-18 filed September 25, 2007, Administrative Order 2007-19 filed September 27, 2007, and Administrative Order 2007-20 filed November 13, 2007.

The Superior Court in Yuma County wants to maintain its effective caseload management system. Case disposition statistics and best practices dictate that in order for the courts to maintain effective disposition of felonies, and to effect timely disposition of all other cases, that assignment of criminal, civil, domestic relations, reciprocal, juvenile, probate, mental health, adoption, and other proceedings among the different Divisions of the Yuma County Superior Court be changed consistent with this Administrative Order.

IT IS THEREFORE ORDERED that effective January 2, 2008, and until further order of the Presiding Judge, the following assignments are made for the Judges and Commissioners of the Yuma County Superior Court:

- (1) Mark Wayne Reeves is assigned to Division One;
- (2) John Paul Plante is assigned to Division Two;
- (3) Larry Kenworthy is assigned to Division Three;
- (4) Andrew W. Gould is assigned to Division Four;
- (5) John N. Nelson is assigned to Division Five;
- (6) Richard W. Donato is assigned to Division Six;
- (7) Kathryn Stocking-Tate is assigned as Commissioner One;
- (8) Denise D. Gaumont is assigned as Commissioner Two; and
- (9) Lisa Bleich is assigned as Commissioner Three.

IT IS FURTHER ORDERED effective January 14, 2008, and until further order of the Presiding Judge:

- (1) All cases previously assigned to the Honorable Tom C. Cole, Division One, and currently assigned to the Honorable Mark Wayne Reeves, Division One, shall continue to be assigned to the Honorable Mark Wayne Reeves, Division One;
- (2) All cases previously assigned to the Honorable John N. Nelson, Division Two, and currently assigned to the Honorable John Paul Plante, Division Two, shall continue to be assigned to the Honorable John Paul Plante, Division Two.
- (3) All cases previously assigned to the Honorable Richard W. Donato, Division Three, and currently assigned to the Honorable Larry Kenworthy, Division Three, shall continue to be assigned to the Honorable Larry Kenworthy, Division Three;
- (4) All cases previously assigned to the Honorable Philip L. Hall, Division Four, and currently assigned to the Honorable Andrew W. Gould, Division Four, shall continue to be assigned to the Honorable Andrew W. Gould, Division Four; all drug court cases currently assigned to the Honorable Andrew W. Gould, Division Four, shall be assigned to the Honorable Denise D. Gaumont, Commissioner Two;
- (5) All cases currently assigned to the Honorable John N. Nelson, Division Five, shall continue to be assigned to the Honorable John N. Nelson, Division Five.
- (6) All cases previously assigned to the Honorable Denise D. Gaumont, Division Six, and to the Honorable Larry Kenworthy, Division Six, and currently assigned to the Honorable Richard W. Donato, Division Six, shall be assigned to the Denise D. Gaumont, Commissioner Two;

- (7) All cases currently assigned to the Honorable Kathryn Stocking-Tate, Commissioner One, shall continue to be assigned to the Honorable Kathryn Stocking-Tate, Commissioner One;
- (8) All juvenile cases currently assigned to the Honorable Denise D. Gaumont, Commissioner Two, shall be assigned to the Honorable Richard W. Donato, Division Six;
- (9) All IV-D Child Support cases currently assigned to the Honorable Denise D. Gaumont, Commissioner Two, shall be assigned to the Honorable Lisa Bleich, Commissioner Three;
- (10) All other domestic relations cases currently reassigned to the Honorable Denise D. Gaumont, Commissioner Two, shall continue to be assigned to the Honorable Denise D. Gaumont, Commissioner Two.

Effective May 7, 2001, all felony criminal complaints filed in justice court were ordered to be assigned to a Superior Court Division on a rotation basis in justice court as set forth in paragraphs numbered (1) and (2) below.

IT IS FURTHER ORDERED that these felony criminal complaints shall continue to be assigned as follows:

- (1) The first felony complaint filed on Monday, May 7, 2001 shall be assigned to Division One. Thereafter, each felony complaint filed shall be assigned to the next sequentially numbered Division, e.g., Division Two, then Division Three, then Division Four, and starting over again with Division One.
- (2) Fugitive felony complaints shall not be assigned to a Superior Court Division.

In April, 2002, the Yuma County Attorney's Office instituted a policy of filing one complaint per defendant in Justice Court which resulted in co-defendants being assigned to separate Superior Court Divisions. In order for co-defendant cases to be assigned to the same Superior Court Division,

IT IS ORDERED that effective January 14, 2008, and until further order of the Presiding Judge, all felony criminal complaints filed in Justice Court shall continue to be assigned to a Superior Court Division as set forth above, and that co-defendant cases shall continue to be assigned to the same Superior Court Division. In order to facilitate this procedure, the Yuma County Attorney's Office shall continue to file a Notice of Filing Co-Defendant Complaints when filing co-defendant cases in Justice Court.

1 IT IS FURTHER ORDERED that if a criminal case originates in a manner other
2 than by way of a felony complaint being filed in Justice Court, such as by way of a Direct
3 Indictment, Lower Court Appeal, or Juvenile Transfer, the Clerk of the Superior Court shall
4 continue to assign those cases as follows:

- 5 (1) All numbered cases, the last two digits of which number when
6 divided by four (4) result in a remainder of one (1), to Division One;
- 7 (2) All numbered cases, the last two digits of which number when
8 divided by four (4) result in a remainder of two (2), to Division Two;
- 9 (3) All numbered cases, the last two digits of which number when
10 divided by four (4) result in a remainder of three (3), to Division Three;
- 11 (4) All numbered cases, the last two digits of which number when
12 divided by four (4) result in a remainder of zero (0), to Division Four.

13 IT IS FURTHER ORDERED that all pleadings, minutes entries, notices and orders filed
14 by an interested party in a Superior Court case shall reflect, immediately beneath the case
15 number, the Division number to which the case has been assigned.

16 IT IS FURTHER ORDERED that all pending criminal cases with warrants outstanding
17 that are currently assigned to a judge other than those designated in Divisions One through Four
18 above, shall be assigned to divisions according to the numbering system set forth above and
19 made a part of this administrative order for criminal cases.

20 IT IS FURTHER ORDERED that all criminal cases in which a defendant was originally
21 sentenced by a judge who is active and sitting as designated in Divisions One through Four
22 above, shall be assigned to that judge. Such assignment shall include, but not be limited to,
23 petitions for violation of probation, petitions for restoration of civil rights, and petitions to
24 modify conditions of probation.

25 IT IS FURTHER ORDERED that all criminal cases in which a defendant was originally
26 sentenced by a judge who is active and sitting as designated in Divisions One through Six
27 above, or in the Commissioner One, Commissioner Two or Commissioner Three position, shall
28 be assigned to that judge for all petition for post-conviction relief proceedings.

IT IS FURTHER ORDERED that all criminal cases in which a defendant was originally
sentenced by a judge other than those designated in Divisions One through Four above,

1 shall be assigned to divisions according to the numbering system set forth above and made a part
2 of this administrative order for criminal cases. Such assignment shall include, but not be limited
3 to, petitions for violation of probation, petitions for restoration of civil rights, petitions to modify
4 conditions of probation, and petitions for post-conviction relief.

5 IT IS ORDERED that effective with cases filed beginning January 14, 2008, and until
6 further order of the Presiding Judge, all civil cases shall continue to be assigned as follows:

- 7 (1) All numbered cases, the last two digits of which number when divided by four (4)
8 result in a remainder of one (1), to Division One;
- 9 (2) All numbered cases, the last two digits of which number when divided by four (4)
10 result in a remainder of two(2), to Division Two;
- 11 (3) All numbered cases, the last two digits of which number when divided by four (4)
12 result in a remainder of three (3), to Division Three;
- 13 (4) All numbered cases, the last two digits of which number when divided by four (4)
14 result in a remainder of zero (0), to Division Four.

15 IT IS ORDERED that effective with cases filed beginning January 14, 2008, and until
16 further order of the Presiding Judge:

- 17 (1) All "election contest" cases shall be assigned to Division Five; and
- 18 (2) Any "election contest" cases filed prior to January 14, 2008, that come
19 before the court for hearing or review after January 14, 2008, shall
20 be automatically reassigned to Division Five; and
- 21 (3) Division Five of the Superior Court in Yuma County is hereby
22 designated the "election division" of the Superior Court in Yuma
23 County.

24 IT IS ORDERED that effective with cases filed beginning January 14, 2008, and until
25 further order of the Presiding Judge:

- 26 (1) All mental health cases shall continue to be assigned to Division Three; and
- 27 (2) Any mental health cases filed prior to January 14, 2008, that come before the
28 court for hearing or review after January 14, 2008, shall continue to be
automatically reassigned to Division Three.

IT IS ORDERED that effective with cases filed beginning January 14, 2008, and until
further order of the Presiding Judge:

- (1) All civil cases where a petition has been filed seeking an order of the court to
detain a person as a Sexually Violent Person pursuant to the Sexually Violent
Persons Act, ARS §§36-3701 through 36-3716, shall continue to be assigned to
Division Three; and

- 1 (2) Any civil cases where a petition has been filed prior to January 14, 2008,
2 seeking an order of the court to detain a person as a Sexually Violent
3 Person pursuant to the Sexually Violent Persons Act, ARS §§36-3701 through
36-3716, that come before the court for hearing or review after January 14, 2008,
shall continue to be automatically assigned to Division Three.

4 IT IS ORDERED that effective with cases filed beginning January 14, 2008, and until
5 further order of the Presiding Judge:

- 6 (1) All adoption cases shall continue to be assigned to Division Five; and
7 (2) Any adoption cases filed prior to January 14, 2008, that come before the court for
8 hearing or review after January 14, 2008, shall continue to be automatically
reassigned to Division Five.

9 IT IS ORDERED that effective with cases filed beginning January 14, 2008, and until
10 further order of the Presiding Judge:

- 11 (1) All probate cases shall continue to be assigned on a rotation basis
12 to Division Two and Division Three with all even
13 numbered cases being assigned to Division Two, and
all odd numbered cases being assigned to Division Three; and
14 (2) Any probate cases filed prior to January 14, 2008, that come on before
15 the court for hearing or review after January 14, 2008, shall be
16 automatically assigned on a rotation basis to Division Two and
Division Three, with all even numbered cases being assigned to
Division Two, and all odd numbered cases being assigned to
Division Three.

17 IT IS ORDERED that effective with cases filed beginning January 14, 2008, and
18 until further order of the Presiding Judge:

- 19 (1) All guardianship and conservatorship cases shall continue to be assigned
20 on a rotation basis to Division Two and Division Three with all even
21 numbered cases being assigned to Division Two, and all odd
22 numbered cases being assigned to Division Three; and
23 (2) Any guardianship and conservatorship cases filed prior to January 14, 2008,
24 that come on before the court for hearing or review after January 14, 2008,
shall be automatically assigned on a rotation basis to Division Two and
Division Three, with all even numbered cases being assigned to Division
Two, and all odd numbered cases being assigned to Division Three.

25 IT IS ORDERED effective with cases filed beginning January 14, 2008, and until
26 further order of the Presiding Judge:

- 27 (1) All domestic relations cases, except Title IV-D cases addressed
28 below, shall be assigned on a rotation basis to Commissioner One
and Commissioner Two, with all odd numbered cases being assigned to
Commissioner One and all even numbered cases being assigned to
Commissioner Two; and

- (2) Any domestic relations cases, except Title IV-D cases addressed below, filed prior to January 14, 2008, that come on before the court for hearing or review after January 14, 2008, shall be automatically assigned on a rotation basis to Commissioner One and Commissioner Two, with all odd numbered cases being assigned to Commissioner One and all even numbered cases being assigned to Commissioner Two; and
- (3) All Title IV(D) child support actions initiated by the Arizona Attorney General's Office shall be assigned to Commissioner Three; and
- (4) Any Title IV(D) child support actions initiated by the Arizona Attorney General's Office filed prior to January 14, 2008, that come before the court for hearing or review after January 14, 2008, and after, shall be assigned to Commissioner Three; and
- (5) Any Title IV(D) cases assigned under (3) & (4) above, that come before the court for hearing on some issue other than child support, shall continue to be reassigned to Commissioner One and Commissioner Two for those contested issues. These hearings would include, but not be limited to, a visitation issue, a custody issue, or a change of custody issue.

IT IS ORDERED that all cases in the Juvenile Division of the Yuma Superior Court shall be assigned to Division Five and Division Six.

IT IS ORDERED that all cases of the Adult Drug Court shall be assigned to Division One and Commissioner Two. Division One Drug court shall be heard on Fridays and Commissioner Two Drug Court shall be heard on Mondays.

IT IS ORDERED effective January 14, 2008, and until further order of the Presiding Judge, Commissioner Three shall hear all domestic relations default actions on Wednesdays commencing at 1:30 p.m.

IT IS ORDERED effective January 14, 2008, and until further order of the Presiding Judge, all Title IV(D) child support actions initiated by the Arizona Attorney General's Office shall be heard by Commissioner Three on Thursdays commencing at 8:30 a.m.

IT IS ORDERED effective January 14, 2008, and until further order of the Presiding Judge, all Arraignments shall be heard by Commissioner Three on Fridays commencing at 8:30 a.m.

IT IS ORDERED beginning January 14, 2008, and until further order of this court, all Motions to Review Conditions of Release shall be heard by Commissioner Three on Fridays commencing at 9:00 a.m.

1 IT IS ORDERED effective January 14, 2008, and until further order of the Presiding
2 Judge, Commissioner Three shall hear an order of protection calendar on Fridays commencing at
3 1:30 p.m. Commissioner Three will set as many hearings as time allows. Any hearings that
4 Commissioner Three is not able to handle due to time constraints or calendar conflicts will be set
5 before the division to whom they are assigned.

6 IT IS ORDERED beginning January 14, 2008, and until further order of the presiding
7 judge, the administrative duties and responsibilities of calling and impaneling grand juries by the
8 Superior Court in Yuma County, and hearings regarding grand jury presentments shall, in
9 addition to the presiding judge, be assigned to Division One. Division One shall assume the
10 primary assignment of all matters pertaining to a grand jury requiring the attention of a Superior
11 Court judge in Yuma County.

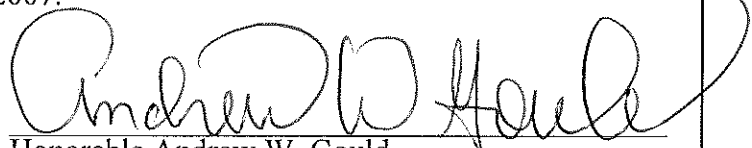
12 Notwithstanding the foregoing judicial assignments, during the absence or
13 unavailability of any Superior Court Judge, another Superior Court Judge may be substituted in
14 his or her place.

15 IT IS ORDERED effective January 14, 2008, and until further order of the Presiding
16 Judge, the criminal calendars shall continue to be held as follows:

- 17 (1) Divisions One and Four on Tuesday and Thursday mornings commencing at 8:30
18 a.m; and
19 (2) Divisions Two and Three on Wednesday and Friday mornings commencing at
20 8:30 a.m.

21 IT IS ORDERED that Law and Motion Day shall continue to be the first working day of
22 each week, with proceedings being held on that day unless otherwise set by the Judge assigned to
23 a particular case.

24 DATED this 20th day of December, 2007.

25 
26 Honorable Andrew W. Gould
27 Presiding Judge
28

Copies to:

Hon. Andrew W. Gould
Hon. Mark Wayne Reeves
Hon. John N. Nelson
Hon. Richard W. Donato
Hon. John Paul Plante
Hon. Larry Kenworthy
Hon. Kathryn Stocking-Tate
Hon. Denise D. Gaumont
Hon. Beverly Frame, Clerk of the Superior Court
Margaret Guidero, Court Administrator
Martin Krizay, Chief Adult Probation Department
Tim Hardy, Director of Juvenile Court Services
Jon Smith, Yuma County Attorney
Michael Breeze, Yuma Public Defender
Jose de la Vara, Yuma Legal Defender
Ronald F. Jones, Conflict Administrator
Jane E. Pray, Caseflow Manager
Lisa Bleich, Courtesy Copy
Yuma County Bar
Arizona Attorney General's Office, Child Support Enforcement Division
Nancy Gray-Eade, Conciliation Court Director